

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MARY F. DUNN-MASON,

Plaintiff,

Case No. 11-cv-13419

v.

HONORABLE STEPHEN J. MURPHY, III

JP MORGAN CHASE BANK, N.A., and  
TROT & TROT PC,

Defendants.

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**ORDER DENYING PLAINTIFF'S MOTION  
TO AMEND A JUDGMENT (document no. 143), ADOPTING  
THE REPORT AND RECOMMENDATION (document no. 132),  
AND GRANTING CHASE'S MOTION TO DISMISS (document no. 107)**

On September 25, 2013, the magistrate judge issued a report and recommendation ("Report"), recommending that the Court dismiss pro se Plaintiff Mary Dunn-Mason's claims against Defendant JP Morgan Chase Bank, N.A. ("Chase"). Dunn-Mason had fourteen (14) days to file objections, see Fed. R. Civ. P. 72(b)(2), but she moved for additional time. Mot. to Extend Time, ECF No. 138. The Court granted a seven (7) day extension. Order Extending Time, ECF No. 141. Dunn-Mason responded by filing a motion to alter or amend a judgment, claiming that the Court could not issue an order without allowing her an opportunity to file a reply brief. Mot. to Amend, ECF No. 143. Meanwhile, the deadline for objecting to the Report passed. Having determined that no hearing is necessary to decide Dunn-Mason's motion, see E.D. Mich. LR 7.1(f), the Court will deny the motion to amend a judgment, adopt the Report, and dismiss the claims against Chase.

The Court will deny Dunn-Mason's motion to amend judgment under Civil Rule 59. The Rule only applies to motions to amend a judgment. See Fed. R. Civ. P. 59(e). Because the Court has not entered judgment in this case, Dunn-Mason's motion is improper.

The Court will also adopt the Report and dismiss the claims against Chase. Although a court must review timely objections to a magistrate judge's report and recommendation, a court may adopt, reject, or amend the portions of a report and recommendation to which no party properly objects. See Fed. R. Civ. P. 72(b)(3); *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Dunn-Mason had until October 16, 2013, to object to the Report. She failed to do so. Any review of the Report is thus discretionary. After careful review, the Court will adopt the Report and grant Chase's motion to dismiss.

**ORDER**

**WHEREFORE**, it is hereby **ORDERED** that Dunn-Mason's motion to amend a judgment (document no. 143) is **DENIED**.

**IT IS FURTHER ORDERED** that the Report (document no. 132) is **ADOPTED**.

**IT IS FURTHER ORDERED** that the Chase's motion to dismiss (document no. 107) is **GRANTED** and that the claims against Chase are **DISMISSED**.

**SO ORDERED.**

s/Stephen J. Murphy, III  
STEPHEN J. MURPHY, III  
United States District Judge

Dated: November 1, 2013

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on November 1, 2013, by electronic and/or ordinary mail.

s/Carol Cohron  
Case Manager